

# HOUSE BILL ANALYSIS

## ESB 6561

**Title:** AN ACT Relating to the Washington national guard.

**Brief Description:** Designating the Washington national guard as a law enforcement agency for the purposes of federal drug asset forfeiture laws.

**Sponsor:** Senators Rossi and Patterson.

### BRIEF SUMMARY

- Designates the Washington National Guard a law enforcement agency for the limited purpose of receiving property seized in federal drug investigations.

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### HOUSE STATE GOVERNMENT COMMITTEE

**Staff:** Jim Morishima (786-7191).

#### BACKGROUND:

The federal government may seize property used in connection with the illegal manufacture or distribution of controlled substances. The United States Attorney General (USAG) may transfer such property to any state or local law enforcement agency that participated in the seizure. The property so transferred must bear a reasonable relationship to the degree of the state or local law enforcement agency's participation in the seizure.

Agencies receiving funds from the USAG must promptly deposit them into the public safety and education account. The agency may use any other property received from the USAG for purposes permitted by state and federal law.

#### SUMMARY:

The Washington National Guard is designated a law enforcement agency for the limited purpose of receiving seized property from the USAG. The Washington National Guard must maintain a record of property or money received and submit an annual report to the Legislature and the Governor. This neither grants the Washington National Guard any new law enforcement powers, nor creates any new obligation to the state with respect to pensions, funding, or liabilities.

**Rule Making Authority:** No express authority.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Bill:** Ninety days after adjournment of the session in which the bill

is enacted.